U.S. Department of Justice

United States Attorney
Eastern District of New York

JJD:PGS
F. #2015R00067

610 Federal Plaza
Central Islip, New York 11722

January 26, 2016

By ECF

The Honorable Frederic Block
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Chevelle Nesbeth
Criminal Docket No. 15-018 (FB)

Dear Judge Block:

The government respectfully submits this letter in advance of the defendant's sentencing, which is scheduled for February 5, 2016. This further written submission, requested by the Court, is provided to address the collateral consequences, as they apply to the defendant following her trial conviction for importation, and possession with intent to distribute cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 952(a).

At the outset, federal law sets forth a lengthy number of collateral consequences that accompany a federal felony drug conviction.[1] These include a wide range of restrictions, some of which are permanent and others that terminate after a designated time period of months or years, depending on the type of offense. Notably, however, the overwhelming majority of the listed restrictions are only relevant to a minute number of individuals and would not apply to the defendant.[2] Indeed, based upon the Probation Department's Pre-Sentence Report ("PSR") and the defendant's sentencing submission, it is likely that only a handful of federal collateral consequences would be relevant in the instant matter. As set forth in greater detail below, the collateral consequences applicable here are required by statute and appropriate given the offense conduct.

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[1] The American Bar Association ("ABA") has a website that lists the collateral consequences that apply to various types of crimes, including controlled substance offenses. See: abacollateralconsequences.org.

[2] A list of the mandatory collateral consequences of controlled substance offenses listed from the ABA website is attached hereto as "Exhibit A."

The Relevant Federal Collateral Consequences

After review of the PSR, the defendant's sentencing submission, and the federal collateral consequences applicable in drug offenses, the following is a brief list of those that are potentially relevant to the defendant:

- Suspension of Eligibility for Student Assistance Programs, Including Grants, Loans, or Work Assistance Programs (20 U.S.C. § 1091(r)): This applies only to students who were receiving federal aid at the time of the felony drug conviction.
    - Period of Disability: First offense: one year for possession of a controlled substance; two years for sale of a controlled substance. 20 U.S.C. §1091(r)(1).

- Denial of Federal Benefits (21 U.S.C. § 862): Denies the issuance of any grant, contract, loan, professional license, or commercial license provided by an agency of or appropriated by funds of the United States, to a person convicted of a drug felony.
    - Period of Disability: First offense: at the discretion of the Court, up to one year for possession of a controlled substance; up to five years for drug trafficking. 21 U.S.C. § 862(a) and (b).

- Ineligible for Federally-Assisted Housing (42 U.S.C. § 13661 and Title 24, Code of Federal Regulations ("C.F.R."), Section 5.855): Any person convicted of a drug crime while living in a federally assisted housing facility is subject to eviction. Furthermore, a household may be denied admission to federally assisted housing due to a prior drug conviction of any household member that occurred during a reasonable time before the admission decision.
    - Period of Disability: If previously evicted due to a prior drug conviction, a tenant shall not be eligible for readmission for 3 years from the date of eviction. 42 U.S.C. § 13661(a). A prior conviction can preclude admission for a "reasonable time" preceding the date when the applicant household would otherwise be selected for admission. 42 U.S.C. § 13661(c).

- Ineligible for Social Security Act/Food Stamp Program Benefits (21 U.S.C. § 862a): An individual convicted of a felony drug offense shall not be eligible for assistance under any State program funded under Part A of Title IV of the Social Security Act, or for food stamp benefits.
    - Period of Disability: Permanent, however States can decide to exempt any individual from the application of this restriction or can enact a law limiting the period during which the restriction applies. 21 U.S.C. § 862a(d)(1)(A) and (B).

- Ineligible for Passport (22 U.S.C. § 2714): A person convicted of a state or federal felony drug offense who used a passport or otherwise crossed an international border in committing the offense may not be issued a passport.
    - Period of Disability: The period that the individual is imprisoned, on parole following incarceration, or on supervised release. 22 U.S.C. § (a)(1).

- Revocation or Suspension of Driver's License (23 U.S.C. § 159 and 23 C.F.R. § 192.4): Requires States to enact a law requiring that any individual convicted of a drug offense have their license suspended or revoked.
    - Period of Disability: Revocation or suspension for at least 6 months. 23 U.S.C. § 159(a)(3)(A)(i)(I)(II).

Future Employment

Aside from specific statutory disqualifications (Exhibit A), a felony conviction does not automatically disqualify a person from federal employment, but is a factor in determining suitability for a position. Federal agencies make suitability determinations on a case by case basis in accordance with Title 5, Code of Federal Regulations, Section 731. While the factors that may form the basis for finding a person unsuitable include criminal or dishonest conduct, an agency will evaluate the individual's character traits when making determinations as to hiring eligibility.[3] See Title 5 C.F.R. § 731.202(b).

Specifically, although not explicitly disqualified, employment in child care services, including teaching, is subject to a background check for criminal convictions. Pursuant to Title 48 C.F.R. § 352.237-72, all individuals seeking employment in child care services to children under age 18, including education, must undergo a criminal background check, and the statute provides that a felony drug conviction may be grounds for denying employment.

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[3] See Office of Professional Management website: www.opm.gov/faq/.

Discussion

The collateral consequences of the defendant's conviction are mandated by federal statute and necessary given the serious criminal conduct for which she now awaits sentence. Expert testimony at trial estimated the street value of the cocaine the defendant attempted to sneak into the United States, in order to be sold, at between $30,000 and $60,000. As the Court is well aware, the street drug trade is responsible for many of the tragic incidents and conditions plaguing too many communities in our region, including shootings, robberies, murders and the proliferation of gangs. Whether contemplated or not, the defendant and others who try to smuggle large quantities of illegal narcotics into the United States are acting in furtherance of that trade.

Accordingly, the collateral consequences her conviction appropriately preclude the defendant from receiving certain federal benefits and entitlements, provided to law-abiding citizens. The restrictions are often offense specific and meant to promote public safety, by limiting an individual's access to certain jobs or sensitive areas, based on their prior offense conduct, and to ensure that government resources are being spent on those who obey the law. As set forth above, most of the restrictions detailed herein are not permanent and are lifted after a designated period of time during which the individual engages in no further criminal conduct.

In sum, based on her conduct, the defendant now has a felony record that will undoubtedly create challenges for her in the future, particularly with respect to her stated goal of becoming a teacher. How the defendant moves forward from this experience is her choice. The obstacles resulting from her crime are by no means insurmountable. The defendant is young, educated, and appears to have a supportive family structure in place. While she may end up choosing a different career path or taking longer to become a teacher than she previously anticipated, if she goes on to prove the instant offense was an isolated and solitary blemish on her record, the defendant can achieve the same level of success in life regardless of her criminal conviction.

Respectfully submitted,

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United States Attorney

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cc: Amanda David, Esq. (by Email and ECF)
Clerk of the Court (by ECF)

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
10 CFR 707.5 (/consequences/140390/)	Discharge from employment with Department of Energy drug-free workplace (controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
13 CFR 123.702 (/consequences/140466/)	Ineligible for an Immediate Disaster Assistance Program loan (SBA)	Any felony; Any misdemeanor	Mandatory/Automatic	Permanent/Unspecified
18 USCS § 1956 (/consequences/165152/)	Notify regulatory agency of conviction of financial institution officer/director/employee	Any felony; Any misdemeanor	Mandatory/Automatic	Permanent/Unspecified
18 USCS § 922 (/consequences/165305/)	Ineligible to sell/ship/transport/possess/receive firearm in interstate/foreign commerce	Any felony; Crimes of violence, including "person offenses"; Weapons offenses	Mandatory/Automatic	Permanent/Unspecified

Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
19 CFR 122.183 (/consequences/140530/)	Deny/suspend/revoke customs security access seal	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Sex offenses; Other	Mandatory/Automatic	Permanent/Unspecified
20 CFR 220.64 (/consequences/140540/)	Ineligible to administer Railroad Retirement Board disability consultative examinations (physician/nurse)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
20 USCS § 1091 (/consequences/165324/)	Ineligible for any federal education grant/loan/work assistance (controlled substance offenses while receiving aid)	Controlled substances offenses	Mandatory/Automatic	Conditional
21 CFR 1301.71 (/consequences/171786/)	Ineligible for employment with manufacturer, distributer, or dispenser of controlled substances	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
21 CFR 1301.74 (/consequences/171787/)	Ineligible for employment with a reverse distributor of controlled substances	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
21 CFR 1301.76 (/consequences/140558/)	Ineligible for employment with registered drug manufacturer/distributor/dispenser	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
21 USCS § 862 (/consequences/165343/)	Ineligible for federal contracts/grants/licenses/other benefits (mandatory for third controlled substance distribution offense)	Controlled substances offenses	Mandatory/Automatic	Conditional
21 USCS § 862a (/consequences/165344/)	Ineligible for Social Security Act/food stamp program benefits	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
21 USCS § 865 (/consequences/165345/)	Ineligible to use alternative/accelerated United States border inspection system (conviction for smuggling methamphetamine)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
21 USCS § 889 (/consequences/165346/)	Ineligible for farm-related benefits (conviction for cultivating/storing controlled substance)	Controlled substances offenses	Mandatory/Automatic	Specific Term
22 USCS § 2291f (/consequences/165354/)	Ineligible for assistance under the International Narcotics Control Act/Arms Export Control Act (controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
22 USCS § 2714 (/consequences/165355/)	Ineligible for passport (mandatory for felony controlled substance offenses involving international borders)	Controlled substances offenses	Mandatory/Automatic	Specific Term
23 CFR 1327.5 (/consequences/140598/)	Report convictions for driving offenses to Secretary of Transportation (National Driver Register Problem Driver Pointer System)	Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
23 CFR 192.4 (/consequences/140597/)	Suspend/revoke driver's license (condition of state highway funds for controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
25 USCS § 3207 (/consequences/165367/)	Ineligible for employment with Departments of the Interior/Health and Human Services requiring regular contact with tribal children	Any felony; Crimes of violence, including "person offenses"; Sex offenses	Mandatory/Automatic	Permanent/Unspecified
26 CFR 1.25A-3 (/consequences/140635/)	Ineligible for the Hope Scholarship Credit (felony drug convictions)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
26 USCS § 25A (/consequences/165368/)	Ineligible for HOPE Scholarship Credit (education)	Controlled substances offenses	Mandatory/Automatic	Specific Term
27 CFR 478.32 (/consequences/140663/)	Ineligible to transport/possess/receive/purchase firearms/ammunition (weapons)	Any felony; Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
27 CFR 478.99 (/consequences/140664/)	Ineligible to purchase firearm/ammunition (weapons)	Any felony; Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
27 CFR 555.26 (/consequences/140667/)	Ineligible to transport, ship, cause to be transported, receive or possess explosive materials	Any felony; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
28 CFR 97.11 (/consequences/140679/)	Ineligible for employment with private prisoner transportation company (felonies and domestic violence)	Any felony; Crimes of violence, including "person offenses"	Mandatory/Automatic	Permanent/Unspecified
42 USCS § 12602 (/consequences/165478/)	Ineligible for National Service Trust education award (controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Conditional
42 USCS § 13661 (/consequences/165481/)	Ineligible for federally-assisted housing (conviction for controlled substance violation)	Controlled substances offenses	Mandatory/Automatic	Conditional
42 USCS § 1396a (/consequences/165454/)	Ineligible to own/operate federally funded Medicaid managed care organization/approved service provider (health care)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
42 USCS § 1396a (/consequences/165455/)	Ineligible to contract with federally funded Medicaid managed care organization/approved service provider (fraud and controlled substance offenses)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
42 USCS § 629i (/consequences/165433/)	Ineligible for employment in program for mentoring children of prisoners for which federal vouchers are awarded to recipients (5 years for assault and controlled substance offenses)	Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Specific Term
42 USCS § 671 (/consequences/165435/)	Ineligible for foster care/adoption (5 years for assault and controlled substance offenses)	Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Specific Term
45 CFR 1633.3 (/consequences/140840/)	Ineligible for Legal Services Corporation representation in public housing evictions arising from controlled substance convictions	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
45 CFR 2522.230 (/consequences/140848/)	Terminate employment with AmeriCorps (violent and controlled substance offenses)	Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
46 CFR 502.27 (/consequences/140860/)	Ineligible to serve as non-attorney representative before Federal Maritime Commission	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
46 CFR 515.12 (/consequences/140861/)	Deny license to operate as an ocean transportation intermediary	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
46 USCS § 7704 (/consequences/165500/)	Revoke merchant mariner's document or merchant seaman license/certificate (mandatory for controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Specific Term
46 USCS § 8106 (/consequences/165501/)	Ineligible for employment on riding gang (seaman/vessels) (10 years for controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Specific Term
46 USCS § 8106 (/consequences/165502/)	Ineligible for employment on riding gang (seaman/vessels) (3 years for DUI/motor vehicle offenses)	Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Specific Term
49 CFR 1103.3 (/consequences/140913/)	Ineligible to serve as non-attorney representative before Surface Transportation Board (controlled substances)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
49 CFR 1182.2 (/consequences/140914/)	Ineligible to purchase motor passenger carrier (transportation)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
49 CFR 1542.209 (/consequences/140915/)	Ineligible to use airport/operate aircraft (national security)	Any felony; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses; Other	Mandatory/Automatic	Specific Term

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
49 CFR 1542.209 (/consequences/140916/)	Ineligible for unescorted access to airport security area	Any felony; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Controlled substances offenses; Sex offenses; Public corruption offenses; Other	Mandatory/Automatic	Specific Term
49 CFR 1542.209 (/consequences/140917/)	Ineligible to operate airport	Any felony; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses; Other	Mandatory/Automatic	Specific Term
49 CFR 1544.229 (/consequences/140918/)	Ineligible for employment as airport baggage/cargo handler	Any felony; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses; Other	Mandatory/Automatic	Specific Term
49 CFR 1544.229 (/consequences/140919/)	Ineligible for employment as airport security screener	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Specific Term

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
49 CFR 1544.230 (/consequences/140920/)	Ineligible for employment as flight crew member	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Specific Term
49 CFR 383.51 (/consequences/140896/)	Revoke commercial driver's license (up to 5 years for specified motor vehicle convictions) (transportation/hazardous materials/DUI)	Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Specific Term
49 CFR 383.51 (/consequences/140897/)	Revoke commercial driver's license (permanent for specified serious motor vehicle convictions) (transportation/hazardous materials/DUI)	Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Permanent/Unspecified
49 CFR 391.15 (/consequences/140904/)	Ineligible for employment as commercial motor carrier driver (up to 3 years for felony/DUI/controlled substance offenses) (transportation)	Any felony; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Specific Term
49 USCS § 30304 (/consequences/165516/)	Report conviction for motor vehicle-related offenses to Secretary of Transportation	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Permanent/Unspecified
49 USCS § 31310 (/consequences/165517/)	Ineligible to operate commercial vehicle federally (60 days to 3 years depending on type/number of enumerated convictions) (DUI/driving/hazardous materials)	Any felony; Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Specific Term
49 USCS § 31310 (/consequences/165518/)	Ineligible to operate commercial vehicle federally (permanent for more than 1 enumerated driving offenses/controlled substance offenses) (DUI/driving/hazardous materials)	Any felony; Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
49 USCS § 31311 (/consequences/165519/)	Ineligible to operate commercial vehicle in participating states (60 days to 3 years depending on type/number of enumerated convictions) (DUI/driving/hazardous materials)	Any felony; Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Specific Term
49 USCS § 31311 (/consequences/165520/)	Ineligible to operate commercial vehicle in participating states (permanent for more than 1 enumerated driving offenses/controlled substance offenses) (DUI/driving/hazardous materials)	Any felony; Crimes of violence, including "person offenses"; Controlled substances offenses; Motor vehicle offenses	Mandatory/Automatic	Permanent/Unspecified
49 USCS § 44935 (/consequences/165526/)	Ineligible for employment as Transportation Security Administration airport security screener	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses; Other	Mandatory/Automatic	Specific Term
49 USCS § 44936 (/consequences/165527/)	Ineligible for security-sensitive employment in airport	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses; Other	Mandatory/Automatic	Specific Term
5 CFR 890.1004 (/consequences/140249/)	Debar health care provider (Office of Personnel Management/Federal Employees Health Benefits Program)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
5 USCS § 3113 (/consequences/165129/)	Ineligible for federal employment	Controlled substances offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
5 USCS § 8902a (/consequences/165138/)	Ineligible for participation in health insurance program (mandatory for enumerated convictions)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 1436.5 (/consequences/140306/)	Ineligible for farm storage facility loan (Department of Agriculture)	Controlled substances offenses; Other	Mandatory/Automatic	Permanent/Unspecified
7 CFR 1955.105 (/consequences/140307/)	Ineligible for crop credit sale (convictions of individual/member/owner/operator) (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 1962.30 (/consequences/140308/)	Ineligible for subordination/waiver of liens on chattel security (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 1962.34 (/consequences/140309/)	Ineligible for transfer of chattel security/EO property/assumption of debt (agriculture)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 273.11 (/consequences/140276/)	Ineligible for inclusion as a household member for the purpose of calculating food stamp benefits	Any felony; Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 273.2 (/consequences/140274/)	Ineligible for food stamps (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 273.2 (/consequences/140275/)	Ineligible to reside in household receiving food stamps (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 278.1 (/consequences/140280/)	Deny retail food store/wholesale food concern participation in food stamp program (convictions of owners/officers/managers) (Department of Agriculture)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Weapons offenses; Controlled substances offenses; Public corruption offenses; Other	Mandatory/Automatic	Permanent/Unspecified
7 CFR 400.679 (/consequences/140284/)	Ineligible to participate in Federal Crop Insurance Act programs (at least 4 crop years for possession/trafficking controlled substance) (agriculture/livestock)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 400.679 (/consequences/140285/)	Ineligible to participate in Federal Crop Insurance Act programs (4 crop years for planting a controlled substance) (agriculture/livestock)	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 407.9 (/consequences/140287/)	Terminate area risk protection insurance policy (agriculture/livestock)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 718.6 (/consequences/140288/)	Ineligible for USDA benefits (controlled substances) (agriculture/livestock)	Controlled substances offenses	Mandatory/Automatic	Specific Term

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
7 CFR 762.120 (/consequences/140289/)	Ineligible for guaranteed farm loan (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 763.5 (/consequences/140290/)	Ineligible for land contract guarantee program (convictions of buyer/members) (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Permanent/Unspecified
7 CFR 764.101 (/consequences/140291/)	Ineligible for Department of Agriculture direct program loans (controlled substance offenses)	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 765.205 (/consequences/140292/)	Deny subordination of mortgage liens under Department of Agriculture loan servicing program	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 765.404 (/consequences/140293/)	Deny transfer of property to applicants ineligible for assumed loan (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 CFR 772.6 (/consequences/140294/)	Deny subordination of Minor Program loan security (convictions of borrower/member) (Department of Agriculture)	Controlled substances offenses	Mandatory/Automatic	Specific Term
7 USCS § 2015 (/consequences/165160/)	Ineligible to participate in food stamp program (1-10 years for first/second enumerated convictions of household member)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Controlled substances offenses	Mandatory/Automatic	Specific Term
7 USCS § 2015 (/consequences/165161/)	Ineligible to participate in food stamp program (permanent for firearms offense/murder/sex offenses/food stamp fraud/second substance abuse conviction of household member)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses	Mandatory/Automatic	Permanent/Unspecified
8 C.F.R. § 316.2 (/consequences/140361/)	Ineligible for naturalization (good moral character) (immigration)	Any felony; Crime of moral turpitude; Crimes of violence, including "person offenses"	Mandatory/Automatic	Permanent/Unspecified
8 CFR 208.13 (/consequences/140321/)	Ineligible for asylum (application filed before April 1, 1997) (immigration)	Any felony; Any misdemeanor; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
8 CFR 208.21 (/consequences/140322/)	Ineligible for admission as spouse/child of asylee (immigration)	Any felony; Any misdemeanor; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
8 CFR 212.3 (/consequences/140328/)	Deny advance permission to enter United States (Immigration and Nationality Act waiver of inadmissibility)	Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
8 CFR 236.1 (/consequences/140341/)	Ineligible for release during pendency of removal proceedings (mandatory absent extenuating circumstances) (immigration)	Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses	Mandatory/Automatic	Permanent/Unspecified
8 CFR 238.1 (/consequences/140343/)	Impose expedited removal proceedings (aggravated felony) (immigration)	Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
8 CFR 240.65 (/consequences/140344/)	Ineligible for suspension of deportation (persons other than battered spouses and children/persons with criminal basis for removal) (immigration)	Any felony; Any misdemeanor; Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
8 CFR 240.65 (/consequences/140345/)	Ineligible for suspension of deportation (deportable on criminal/certain other grounds) (immigration)	Any felony; Any misdemeanor; Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
8 CFR 240.65 (/consequences/140346/)	Ineligible for suspension of deportation (battered spouses/children) (immigration)	Any felony; Any misdemeanor; Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
8 CFR 240.66 (/consequences/140347/)	Ineligible for special rule cancellation of removal (Illegal Immigration Reform and Immigrant Responsibility Act)	Any felony; Any misdemeanor; Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
8 CFR 245.11 (/consequences/140351/)	Ineligible for adjustment of status of alien witness/informant (S class nonimmigrant) (immigration)	Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses; Recreational license offenses; Other	Mandatory/Automatic	Permanent/Unspecified
8 CFR 316.10 (/consequences/140362/)	Ineligible for naturalization (lack of good moral character during statutory periods specified in naturalization law) (immigration)	Any felony; Any misdemeanor; Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Public corruption offenses	Mandatory/Automatic	Permanent/Unspecified
8 USCS § 1182 (/consequences/165185/)	Ineligible for immigration admission (permanent for controlled substance offenses/multiple convictions/smugglers/polygamists)	Any felony; Any misdemeanor; Controlled substances offenses; Other	Mandatory/Automatic	Permanent/Unspecified
8 USCS § 1184 (/consequences/165187/)	Ineligible for admission/continued stay in a lawful status as a nonimmigrant	Any felony; Any misdemeanor	Mandatory/Automatic	Permanent/Unspecified

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Citation	Title	Triggering Offense Category	Consequence Type	Duration Category
8 USCS § 1227 (/consequences/165189/)	Remove alien from the United States (permanent for aggravated felonies/other specified offenses) (immigration)	Any felony; Any misdemeanor	Mandatory/Automatic	Permanent/Unspecified
8 USCS § 1367 (/consequences/165200/)	Ineligible for statutory protection from adverse admissibility/deportability decision (permanent for enumerated offenses)	Any felony; Crimes of violence, including "person offenses"; Weapons offenses; Controlled substances offenses; Sex offenses; Other	Mandatory/Automatic	Permanent/Unspecified
8 USCS § 1375a (/consequences/165202/)	Ineligible to use international marriage broker/obtain K nonimmigrant visa	Crimes of violence, including "person offenses"; Controlled substances offenses; Sex offenses	Mandatory/Automatic	Permanent/Unspecified
8 USCS § 1439 (/consequences/165206/)	Ineligible for naturalization through armed service (immigration)	Any felony; Any misdemeanor; Crime of moral turpitude; Crimes involving fraud, dishonesty, misrepresentation or money-laundering; Controlled substances offenses; Sex offenses	Mandatory/Automatic	Permanent/Unspecified

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